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Fourth Annual Chief Justice Ronald M. George Distinguished Lecture: LBGT Issues in the Judiciary

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FOURTH ANNUAL

CHIEF JUSTICE RONALD M. GEORGE

DISTINGUISHED LECTURE

LGBT ISSUES IN THE JUDICIARY

FEATURING FORMER CHIEF JUDGE

VAUGHN R. WALKER

OCTOBER 29, 2012

GOLDEN GATE UNIVERSITY

School of Law

**The Annual Chief Justice
Ronald M. George
Distinguished Lecture Series,**
named after legendary former
Chief Justice of California
Ronald M. George, shines a
spotlight on the vital role of state
courts by bringing together
state chief justices to share
their perspectives on critical issues
facing the judiciary.

Program

WELCOME

Rachel Van Cleave, Interim Dean
Golden Gate University School of Law

LECTURE

INTRODUCTION

Former Chief Justice Ronald M. George

LECTURE

Former Chief Judge Vaughn R. Walker
U.S. District Court for the
Northern District of California

PANEL

INTRODUCTION

Rachel Van Cleave, Interim Dean

MODERATOR

Keith C. Wetmore
Chair, Morrison & Foerster LLP

PANELISTS

Former Chief Judge Vaughn R. Walker
Judge Deborah A. Batts,
U.S. District Court for the
Southern District of New York
Justice Virginia L. Linder,
Oregon Supreme Court
Presiding Judge Tonya Parker,
116th Civil District Court,
Dallas, Texas



Chief Justice Ronald M. George
Distinguished Lecturer

**Former Chief Judge
Vaughn R. Walker**
U.S. District Court for
the Northern District of California

Vaughn R. Walker served as a district judge of the United States District Court for the Northern District of California from 1990 to 2011. From 2004 to 2010, he served as Chief Judge.

He graduated from the University of Michigan and Stanford Law School. After clerking for Judge Robert J. Kelleher of the United States District Court for the Central District of California in Los Angeles from 1971 to 1972, he practiced in San Francisco at Pillsbury, Madison & Sutro, now Pillsbury Winthrop Shaw Pittman LLP.

Judge Walker was originally nominated to the bench by President Reagan in 1987; that nomination expired without action by the Senate at the end of the 100th Congress in 1988. In early 1989, he was re-nominated by President Bush and was confirmed by the United States Senate on November 21, 1989, on unanimous consent; he received his commission in November 1989.

Judge Walker has presided over such notable lawsuits as those involving the Terrorist Surveillance Program of the National Security Agency; the *Apple Computer, Inc. v. Microsoft Corporation* copyright infringement case; antitrust litigation over the Hearst Corporation's purchase of the *San Francisco Chronicle* and Oracle's merger with PeopleSoft; the World War II Japanese forced labor litigation and numerous other multi-district dockets in securities, air disaster, and personal injury litigation.

In 2010, Judge Walker began trying *Perry v. Schwarzenegger*. The case involved a federal-constitutional challenge to California Proposition 8, a voter initiative constitutional amendment that eliminated the right of same sex couples to marry, a right which had previously been granted after the California Supreme Court found a statute to the same effect unconstitutional under California law. In August of the same year, Judge Walker ruled that Proposition 8 was unconstitutional "under both the Due Process and Equal Protection Clauses" of the United States Constitution and prohibited its enforcement. That decision was affirmed by the United States Court of Appeals for the Ninth Circuit in February 2012. The losing parties have sought review by the United States Supreme Court.

Judge Walker retired from the bench at the end of February 2011 and established a mediation-arbitration practice in San Francisco to which he now devotes most of his time. He taught classes last year at UC Berkeley School of Law and Stanford Law School. He has served for many years as a director, and one year as chair, of the Saint Francis Foundation, which supports healthcare in San Francisco through an affiliation with Saint Francis Memorial Hospital.



Panel Moderator

Keith C. Wetmore

Chair, Morrison & Foerster LLP

Keith Wetmore is the Chair of Morrison & Foerster LLP. As Chair and chief executive partner, he takes the lead in setting policy and providing strategic direction to the firm. During his twelve-year tenure, the firm's gross revenue has more than doubled, its net income

tripled, and the firm has been ranked on the American Lawyer A-List for nine consecutive years.

Before becoming Chair, Mr. Wetmore led the firm's 50-lawyer Finance and Infrastructure practice, bringing to his engagements 20 years of experience in debt and lease finance, both domestic and international.

Mr. Wetmore has been openly gay throughout his career and, as such, has found himself engaged over time in a number of issues affecting the LGBT community, including domestic partner benefits in the legal profession. In particular, through his own work and as part of the Morrison & Foerster team, he has contributed for over 20 years to the fight against HIV and AIDS. In the mid-1980s, Mr. Wetmore helped organize teams of lawyers at the firm who wrote wills and durable powers of attorney for PWAs, handling several dozen cases himself, as part of the important work of the AIDS Legal Referral Panel. He personally organized and incorporated a number of HIV-related nonprofit corporations in San Francisco, including The Names Project (sponsors of the AIDS Memorial Quilt). He served on the San Francisco AIDS Foundation Board for six years, chairing its finance committee.

While at the University of Michigan Law School, Mr. Wetmore served as Articles Editor for the Michigan Law Review and was elected to the Order of the Coif. He clerked for Judge J. Edward Lumbard on the U.S. Court of Appeals for the Second Circuit.

Mr. Wetmore has lived in San Francisco for over 25 years and for the past six years has divided his time between Manhattan and San Francisco.

Judge Deborah A. Batts

U.S. District Court for the Southern District of New York



As a Clinton nominee, Judge Batts was appointed in 1994. Judge Batts graduated from Radcliffe College in 1969 and from Harvard Law School in 1972. Upon graduation, she clerked for Judge Pierce, then a United States District Court Judge.

In 1973, Judge Batts became an associate at Cravath, Swaine & Moore. In 1979, she became an Assistant United States Attorney in the Southern District of New York in the Criminal Division. From 1984 to 1990, she taught at Fordham University School of Law. Judge Batts is a member of various bar associations including The Bar Association of the City of New York, the Metropolitan Black Bar Association, and the Lesbian and Gay Law Association of Greater New York (LeGal) and is a member of the CUNY School of Law Board of Visitors. In 2001, Judge Batts was a Team Member of the Crowley Program in International Human Rights' Mission to Ghana to observe the impact on the status of women in the area of inheritance of PNDCL 111, passed in 1985.

In 2001, Harvard Law School unveiled a portrait of Judge Batts commissioned by the Harvard Law School Association's Gay, Lesbian, Bisexual Alumni/ae Committee. From 2004 to 2006, she was a Member of the Scientific Committee for the 2006 International Conference on LGBT Human Rights. Judge Batts was Conference Chairperson of the Second Circuit Judicial Conference in 2007 and 2008.

In 2008, Judge Batts received awards from the Robert B. Fiske, Jr. Association, the Metropolitan Black Bar Association, and the National Association of Women Lawyers and was appointed to the national Judicial Conference Committee on Defender Services. In 2009, she was appointed to the Executive Committee/Board of Directors of the Federal Judges Association, and in 2012 she assumed Senior Judge status and was elected as a Second Circuit Representative to the Federal Judges Association.



Justice Virginia L. Linder
Oregon Supreme Court

Justice Linder was elected in 2006 to her position on the Oregon Supreme Court and begins her second six-year term in January 2013. Before joining the Oregon Supreme Court, Justice Linder served for over nine years as a judge on the Oregon Court of Appeals.

Justice Linder began her legal career as an Assistant Attorney General in the Appellate Division of the Oregon Department of Justice. From 1986 to 1998, longer than anyone before or since, she served as Oregon Solicitor General. She was responsible for the work of as many as 33 appellate lawyers on between 3,000 and 4,000 annual appeals in both state and federal courts and was directly involved in all cases involving the State of Oregon before the United States Supreme Court.

During her career, Justice Linder has marked several “firsts” as a woman and as an open lesbian. She is the first woman to obtain a seat on the Oregon Supreme Court through a contested election; the first woman and openly LGBT lawyer to be Oregon’s Solicitor General and to head a legal division in the Oregon Department of Justice; the first woman to argue on behalf of the State of Oregon before the United States Supreme Court; the first openly LGBT person elected to statewide office of any kind in Oregon; the first open lesbian judge on a state supreme court in the nation; and the first openly LGBT person to be elected to a state’s highest court as a non-incumbent.

Particularly devoted to fostering diversity and inclusion in the legal profession, Justice Linder is a frequent speaker and author for the Oregon State Bar and other professional organizations, and has taught at Oregon law schools. Her recent awards include the 2010 Women Leaders Award, presented by the Center for Women, Politics, and Policy, the 2011 Oregon State Bar Diversity Champion Certificate of Appreciation, and the 2012 Betty Roberts Award from the Oregon Women Lawyers, for promotion of women in the legal profession.

Presiding Judge Tonya Parker
116th Civil District Court
Dallas, Texas



Judge Tonya Parker was elected in 2010 to serve as the Presiding Judge of the 116th Civil District Court. She is the first African-American female to be elected to a civil district court in Dallas County. While in private practice, she earned partnership at two Dallas law firms. She graduated from University of North Texas and Southern Methodist University Dedman School of Law. At SMU, she was inducted as a member of the National Order of the Barristers and awarded the John E. Kennedy Memorial Scholarship in recognition of her service to the law school community.

Judge Parker is the 2011 recipient of the Hon. Sam A. Lindsay Award for Professionalism and Ethics from the J.L. Turner Legal Association. Between 2006 and 2010, she was voted a Super Lawyers Rising Star four times and received mentoring awards from the JLTLA, Dallas Association of Young Lawyers, and Dallas Bar Association. In 2005, as an American Marshall Fellow, she traveled throughout Europe promoting transatlantic relations.

With her passion for mentoring, she has actively mentored high school, pre-law and law school students, as well as new and young lawyers for over a decade. She has done this through the DBA’s Transition to Law and E-mentor programs, DAYL’s Mentor-Match Program, JLTLA’s Law Student Mentor Project, the Education Is Freedom/Big Brothers and Big Sisters program, and countless other programs designed to positively influence young people and promote competency and professionalism in the bar.

Judge Parker is a member of the American Bar Association’s Commission on Sexual Orientation and Gender Identity and the DBA’s Business Litigation Section Council. She has also held positions as chair of the Dallas Arts District Alliance’s Board of Directors, commissioner on the City of Dallas Community Development Commission, at-large director for the DBA for two years, and as a two-term board member for JLTLA.

The 2012 Chief Justice Ronald M. George Distinguished Lecture

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**Whether born from experience or
inherent physiological or cultural
differences our gender and national
origins may and will make a difference
in our judging.**

Justice Sonia Sotomayor